

Wetlands Bureau Decision Report

Decisions Taken
09/01/2003 to 09/05/2003

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2001-00566 WHITMOR REALTY TRUST
RYE Wallis Sands Beach

Requested Action:

Impact a total of 4,220 square feet of previously developed upland tidal buffer zone for the construction of a new seawall in the same footprint as existing, a deck, patio and stairs, planting area, granite steps and walkway, the installation of a new residential subsurface disposal system, and an area of pavement removal. Project impacts also include the removal of existing dwelling and construction of new dwelling in the exact footprint of existing dwelling.

Conservation Commission/Staff Comments:

Con. Com. does not object to approval.

APPROVE AMENDMENT:

Amend permit to read: impact a total of 4,220 square feet of previously developed upland tidal buffer zone for the construction of a new seawall in the same footprint as existing, a deck, patio and stairs, planting area, granite steps and walkway, the installation of a new residential subsurface disposal system, and an area of pavement removal. Project impacts also include the removal of existing dwelling and construction of new dwelling in the exact footprint of existing dwelling.

With Conditions:

6. AMENDED CONDITION: All work shall be in accordance with plans by Ambit Engineering, Inc. dated March 2001 with revisions dated August 19, 2003, as received by the Department on August 20, 2003.

2002-00794 DIETRICH, DAVID/KARYN
ALTON Lake Winnepesaukee

Requested Action:

Reconstruct existing breakwater and fill 1045 sq ft to construct 44 linear ft of breakwater, in an "I" configuration, with a 6 ft gap at the shoreline, and a 6 ft x 35 ft cantilevered pier connected to a 6 ft by 35 ft pier by a 4 ft by 11 ft 11 in wharf on an average of 100 ft of frontage on Rattlesnake Island, Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

No USGS map. Digitized from tax map.

Inspection Date: 07/02/2002 by Dale R Keirstead

APPROVE PERMIT:

Reconstruct existing breakwater and fill 1045 sq ft to construct 44 linear ft of breakwater, in an "I" configuration, with a 6 ft gap at the shoreline, and a 6 ft x 35 ft cantilevered pier connected to a 6 ft by 35 ft pier by a 4 ft by 11 ft 11 in wharf on an average of 100 ft of frontage on Rattlesnake Island, Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Diversified Marine Construction as received by the Department on June 18, 2002.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be

- avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
 6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
 7. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
 8. The breakwater shall not exceed 3 feet in height(Elev. 507.32) over the normal high water line(Elev. 504.32).
 9. The width as measured at the top of the breakwater(Elev. 507.32) shall not exceed 3 feet.
 10. Dredged material and construction debris shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
 11. Rocks may not remained stockpiled on the frontage for a period longer than 60 days.
 12. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
 13. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
 14. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 2 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
 15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483 B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(j), Construction of a Breakwater and 303.01(d), Construction of a dock attached to a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Wt 402.07, Breakwaters.
3. The applicant has an average of 100 feet of frontage along Lake Winnepesaukee, Alton.
4. A maximum of 2 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
5. The proposed docking facility will provide 2 slips as defined per RSA 482-A and therefore meets Rule Wt 402.14.
6. Public hearing is waived based on field inspection, by NH DES staff, on July 2, 2002, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
7. The Conservation Commissions concern about a Letter of Deficiency is on a different lot.

2002-00812 RICH, FRANK & JUNE
ALTON Lake Winnepesaukee

Requested Action:

Fill 1425 sq ft to construct 70 linear ft of breakwater, in an "L" configuration, with a 6 ft gap at the shoreline, and a 4 ft x 30 ft cantilevered pier accessed by a 4 ft x 32 ft walkway with a 6 ft x 30 ft dock supported on two 5 ft x 5 ft cribs accessed by a 4 ft x 10 ft stairway, construct a seasonal canopy over the boat slips, on an average of 104 ft of frontage on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Original application was for a 2-slip boathouse received by DES on April, 19, 2002.

Con Com requested the flat roof not be utilized for deck space.

October 15, 2002, DES is notified of a DEED restriction for the construction of a structure along the shoreline, and requests revisions to the project.

May 2003, applicant requests to construct a 2-slip breakwater and fore go the boathouse project.

Inspection Date: 07/27/2002 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Fill 1425 sq ft to construct 70 linear ft of breakwater, in an "L" configuration, with a 6 ft gap at the shoreline, and a 4 ft x 30 ft

cantilevered pier accessed by a 4 ft x 32 ft walkway with a 6 ft x 30 ft dock supported on two 5 ft x 5 ft cribs accessed by a 4 ft x 10 ft stairway, construct a seasonal canopy over the boat slips, on an average of 104 ft of frontage on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Beckwith Builders, Inc. dated July 11, 2003, as received by the Department on July 14, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water. A letter dated April 18, 2002, received by the Department on June 27, 2002, provides permission to conduct work within the 20 ft setback on property identified as lot 39-9 on Tax map 18 in Alton.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than 50 feet lakeward of the normal full lake shoreline.
8. The breakwater shall not exceed 3 feet in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
9. The width as measured at the top of the breakwater (Elev. 507.32) shall not exceed 3 feet.
10. Rocks may not remain stockpiled on the frontage for a period longer than 60 days.
11. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
12. The cribs shall have a minimum spacing of 12 ft apart.
13. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
14. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
15. Canopies shall be of flexible fabric and shall be removed for the non-boating season.
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(j), construction of a Breakwater.
2. The proposed project meets 302.03, Avoidance and Minimization.
3. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Wt 402.07(c), Breakwaters.
4. The applicant has an average of 104 feet of frontage along Lake Winnepesaukee, Alton.
5. A maximum of 2 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
6. The proposed docking facility will provide 2 slips as defined per Rule Wt 101.07, Boat slip, and therefore meets Rule Wt 402.14.
7. Public hearing is waived based on field inspection, by NH DES staff, on July 27, 2002, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
8. Field inspection on July 27, 2002, found no evidence of sand migration along this shoreline.
9. The addition of the seasonal canopy to this proposal will not increase the overall footprint of the structure.

2003-00744 AUDUBON SOCIETY OF NEW HAMPSHIRE
HOPKINTON Smith Pond Bog

Requested Action:

Impact 650 square feet of wetlands to construct a boardwalk for a nature trail at the Audubon Society's Smith Pond Bog Sanctuary

Conservation Commission/Staff Comments:

NHI hit, level bog community potential threats are changes in hydrology, increased nutrient levels from stormwater and sedimentation from disturbances. Site inspection required.

Inspection Date: 07/01/2003 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Impact 650 square feet of wetlands to construct a boardwalk for a nature trail at the Audubon Society's Smith Pond Bog Sanctuary

With Conditions:

1. All work shall be in accordance with plans and application by the Audubon Society of NH, as received by the Department on April 25, 2003 and a letter dated July 9, 2003, received by the Department on July 11, 2003.
2. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Any further alteration of wetlands on this property will require a new application and further permitting by the DES Wetlands Bureau.
5. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
6. Work shall be done during low flow.

With Findings:

1. This project will construct 325 linear feet of boardwalk in an exemplary community and is therefore a major impact project per Administrative Rule Wt 303.02(k), for projects in a wetland that has been identified by the Natural Heritage Inventory - Department of Resources and Economic Development as an exemplary community and/or has documented occurrences of threatened or endangered species.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on July 1, 2003. Field inspection determined the trail receives continual foot traffic even though the trail was previously closed.
6. The replacement of a boardwalk along this section of trail will minimize the long term impacts associated with the present unrestricted use of the area.
7. This project will provide for continued educational and recreational use of the sanctuary.
8. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem.

2003-00799

NH DEPT OF TRANSPORTATION

RYE Atlantic Ocean

Requested Action:

Extend riprap (quarry stone / boulders) for 200 linear feet (650 sq. ft.) along the shoulder of Rte. 1A to prevent large debris from crossing the roadway.

Conservation Commission/Staff Comments:

Needs approval by G&C.

APPROVE PERMIT:

Extend riprap (quarry stone / boulders) for 200 linear feet (650 sq. ft.) along the shoulder of Rte. 1A to prevent large debris from crossing the roadway. NHDOT project #M610-03C.

With Conditions:

1. All work shall be in accordance with plans by NHDOT District 6 as received by the Department on May 1, 2003.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Construction equipment shall not be located within surface waters.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
6. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
7. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
8. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(b), alteration of a bank within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence, which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on February 5, 2003. Field inspection determined that storm events place debris in the roadway and is a hazard to the traveling public.
6. The Natural Heritage Inventory identified a natural community and a threatened species in the area. The project will not reduce the sheet flow of tidal waters.
7. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this marine wetland ecosystem.

2003-00860 PORTSMOUTH, CITY OF
PORTSMOUTH South Mill Pond

Requested Action:

Impact a total of 38,400 square feet within both tidal waters and the tidal buffer zone for the Lincoln Area sewer separation project in and around the South Mill Pond in the City of Portsmouth. Project impacts below the highest observable tide line total 1,800 square feet and include the installation of a temporary cofferdam below the mean high tide line for the construction of a 480 square foot riprap apron at the outfall of a proposed 2 ft x 6 ft box culvert with an associated headwall and wing walls to be installed for stormwater runoff from a proposed stormwater treatment system, and the installation of one subsurface discharge pipe for groundwater runoff. Project impacts in the tidal buffer zone include the cutting and removal of rusted CMP as well as those pipes along the bank of South Mill Pond that are no longer serving any function, the installation of separate underground drainage and sewerage pipes in the tidal buffer zone surrounding the pond, the planting of approximately 25 Rosa rugosa shrubs, and the restoration of the parking areas, lawn, and fields that will be disturbed as a result of the proposed impacts.

Inspection Date: 06/09/2003 by Christina Altimari

APPROVE PERMIT:

Impact a total of 38,400 square feet within both tidal waters and the tidal buffer zone for the Lincoln Area sewer separation project in and around the South Mill Pond in the City of Portsmouth. Project impacts below the highest observable tide line total 1,800 square feet and include the installation of a temporary cofferdam below the mean high tide line for the construction of a 480 square foot riprap apron at the outfall of a proposed 2 ft x 6 ft box culvert with an associated headwall and wing walls to be installed for stormwater runoff from a proposed stormwater treatment system, and the installation of one subsurface discharge pipe for groundwater runoff. Project impacts in the tidal buffer zone include the cutting and removal of rusted CMP as well as those pipes along the bank of South Mill Pond that are no longer serving any function, the installation of separate underground drainage and sewerage pipes in the tidal buffer zone surrounding the pond, the planting of approximately 25 *Rosa rugosa* shrubs, and the restoration of the parking areas, lawn, and fields that will be disturbed as a result of the proposed impacts.

With Conditions:

1. All work shall be in accordance with plans by Underwood Engineers, Inc. dated May 14, 2003 (Sheets 2, 3 & 4 of 14) as received by the Department of July 2, 2003, and Sheet 7 of 14 plans by Underwood Engineers, Inc. dated May 14, 2003 with revisions dated July 25, 2003, as received by the Department on July 28, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. Unconfined work within the tidal pond, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
12. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
13. Culvert outlets shall be properly rip rapped.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in tidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and Wt 302.04 (c), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on June 9, 2003. Field inspection determined the proposed impacts are necessary to install separate underground stormwater and sewerage discharge pipes.
6. Currently both stormwater and sewerage exist within the same pipes and are discharged into South Mill Pond.
7. Temporary cofferdam is needed for the installation of the riprap apron, necessary to prevent scouring at the base of the proposed 2 ft x 6 ft box culvert, and to be constructed only to the limits of mean low tide as scouring will not be a problem during high tide.
8. All areas within the tidal buffer zone and around the pond that will be disturbed as a result of the project will be restored to their existing state.
9. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this tidal pond and the adjacent tidal buffer zone.

-Send to Governor and Executive Council-

2003-00923 NH DEPT OF TRANSPORTATION
RYE Atlantic Ocean

Requested Action:

Install headwalls, riprap inlets and outlets of two drainage pipes impacting 284 sq. ft. of marsh to stabilize the shoulder of Route 1A.

Conservation Commission/Staff Comments:

needs G&C approval

Inspection Date: 02/05/2003 by Gino E Infascelli

APPROVE PERMIT:

Install headwalls, riprap inlets and outlets of two drainage pipes impacting 284 sq. ft. of marsh to stabilize the shoulder of Route 1A. NHDOT project #M610-E03.

With Conditions:

1. All work shall be in accordance with plans by NHDOT District 6 as received by the Department on May 19, 2003.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Construction equipment shall not be located within surface waters.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
6. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
7. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
8. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), alteration of tidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence, which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on February 5, 2003. Field inspection determined that repairing or stabilizing the roadway shoulder would provide a safer roadway for the traveling public.
6. The Natural Heritage Inventory identified a natural community in the area. The project will not reduce the sheet flow of tidal waters or increase either nutrients or pollutants.
7. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this estuarine ecosystem.

MINOR IMPACT PROJECT

1998-00072 NH FISH AND GAME DEPT
NEW DURHAM Merrymeeting Lake

2000-01430 STOICO, RICHARD
MEREDITH Lake Winnepesaukee

Requested Action:

Reconsider request for a "W" configured docking facility.

Conservation Commission/Staff Comments:

Meredith CC recommends approval.

APPROVE RECONSIDERATION:

Install two 6 ft x 40 ft hinged piers and a 4 ft x 40 ft hinged pier connected by a 4 ft x 40 ft permanent walkway in a "W" configuration on 300 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated June 4, 2003, as received by the Department on June 19, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
7. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
8. The seasonal piers shall be removed from the lake for the non-boating season.
9. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minor project per Rule Wt 303.03(d), construction of a 4 slip docking facility.
2. The applicant has an average of 300 feet of frontage along Lake Winnepesaukee.
4. A maximum of 5 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
5. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, Boat slip, and therefore meets Rule Wt 402.14.
6. The NH Dept of Justice has determined that the previous permits issued to Patrician Shores, for dock construction do not preclude the issuance of a permit to construct docking on this frontage.

2001-00297 FARRELL, WARREN
TUFTONBORO Lake Winnepesaukee

Requested Action:

Amend permit to allow wider connecting walkway to remain.

Conservation Commission/Staff Comments:

No USGS map. Digitized from tax map.

APPROVE AMENDMENT:

Reduce a 5 ft 2 in x 25 ft piling pier to 2 ft 6 in x 25 ft 6 in, repair an 8 ft x 41 ft crib supporting a 10 ft x 32 ft 6 in pier and 22 ft x 13 ft deck connecting the piers in a "U" configuration, remove 11.5 sq ft from the connecting deck and replace the existing 11 ft 6 in x 23 ft boathouse over the center slip with a 13 ft x 23 ft boathouse on 190 ft of frontage on Tuftonboro Neck, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Lakeshore Construction revised 07/12/02, as received by the Department on 07/17/02.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. All portions of the structure to be removed shall be completely removed from the frontage prior to the construction of the new boathouse.
4. The boathouse shall be a single-story structure.
5. No portion of the boathouse may be converted to any use other than storage for boat or boat accessories.
6. Dredge material and construction debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
7. Repair shall maintain existing size, location and configuration except as noted on the plans received 07/17/02.
8. Appropriate siltation/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
10. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
11. This permit does not allow for maintenance dredging.
12. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minor impact project per Rule Wt 303.03(d), modification of a 3 slip permanent docking structure.
2. As per Wt 402.22, this project reduces construction surface area over public submerged lands.

2002-00839 LITTLETON, TOWN OF
LITTLETON Ammonoosuc River

Requested Action:

Amend permit to include 950 square feet of temporary impact within the bank of the Ammonoosuc River to install a temporary construction ramp.

Conservation Commission/Staff Comments:

- *In a letter dated 4/25/02, the Littleton Conservation Commission stated that they understand the details and accept the project as is.
- *In a letter dated 1/8/02, NHDHR stated that there are no known properties of historical resources within the project area.

*In a letter dated 12/28/01, NHI stated that there are no known occurrences of sensitive species near the project area.

*In a letter dated 1/24/02, the USFWS stated that no threatened or endangered species are known to occur in the project area.

APPROVE AMENDMENT:

Amend permit to read: Temporarily impact 19,450 square feet within the bed and banks of the Ammonoosuc River and dredge and fill 3,560 square feet within the Ammonoosuc River, Curtis Brook, an unnamed seasonal stream, and within palustrine scrub shrub wetlands to construct a system of gravel walking paths and a wooden pedestrian bridge over the Ammonoosuc River as part of a plan to complete the Town of Littleton's Riverwalk project.

With Conditions:

1. All work shall be in accordance with plans by H.E. Bergeron Engineers dated 3/28/02 and 4/15/02, as received by the Department on 4/26/02.
2. This permit is contingent on approval by the DES Site Specific Program.
3. The applicant shall notify in writing NHDES Wetlands Bureau and the Littleton Conservation Commission of their intention to begin construction no less than five (5) business days prior to the commencement of construction.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Work shall be done during low flow conditions.
8. Construction equipment shall not be located within surface waters.
9. All work within the bed of the Ammonoosuc River shall be conducted in the dry or behind a temporary cofferdam in accordance with plans received on 4/26/02.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. All temporary impact areas shall be restored and revegetated following the completion of construction.
13. The permittee shall designate a qualified professional who will have the responsibility to assure that the project is constructed in accordance with the approved plans.
14. A post-construction report documenting the status of the completed project shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
15. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
16. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
17. Culvert outlets shall be properly rip rapped.
18. Proper headwalls shall be constructed over the culvert ends within seven days of installation.
19. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
21. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
22. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
23. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. The project is considered a Minor Project per NH Administrative Rule Wt 303.03(h) & (l), as the permanent impacts are less than 20,000 square feet and 200 linear feet within the bed and banks of rivers and streams
2. The proposed project is for a system of new gravel walks, parking, traffic enhancement and a wooden pedestrian bridge over the

Ammonoosuc River in the Town of Littleton.

3. The Littleton Riverwalk project is needed to enhance the natural and transportation systems of the community by managing congestion, lessening the need for vehicular traffic and encouraging a park and walk approach to downtown Littleton.
4. The project will benefit the public by enhancing and preserving the quality of life, while enhancing the small town atmosphere of the community by encouraging pedestrian travel and discouraging vehicular traffic.
5. Overall, the project will not significantly impact the resources of the Ammonoosuc River or its tributaries and is designed to increase commerce, safety, accessibility and opportunity for a large portion of the Littleton community.

2003-00419 LITTLEFIELD, WALTER & CLAIRE
SEABROOK Black Water River

Requested Action:

Applicant requests reconsideration of the Department's 7/3/03 denial to impact 216 square feet of previously illegally filled tidal buffer zone within 30 feet of the highest observable tide line for the removal of an existing 8' x 10' storage shed, and the construction of a 12' x 18', two-story dwelling addition intended for storage on the south side of the existing structure on Seabrook Tax Map 25 / Lot 13.

Inspection Date: 04/17/2003 by Christina Altimari

Inspection Date: 07/30/2003 by Christina Altimari

DENY RECONSIDERATION:

Reaffirm Department's 7/3/03 denial, with original and additional findings, as follows

With Findings:

1. On March 6, 2003 DES received permit application 2003-419 proposing to impact 216 square feet of previously filled tidal buffer zone within 30 feet of the highest observable tide line for the removal of an existing 8' x 10' storage shed, and the construction of a 12' x 18' two-story dwelling addition intended for storage on the south side of the existing structure.
2. On April 24, 2003 DES requested more information from the applicant relative to the history of the expansion of the house on this property.
3. On July 3, 2003 DES denied the project on the basis that:
 - a. the property has an on-going history of unauthorized expansion, including construction of the initial dwelling on the top of an existing platform; enclosure of the exterior walkway; construction of an storage shed; and placement of fill around the structure;
 - b. the project represents expansion of an illegal non-conforming structure which is prohibited in RSA 483-B:11;
 - c. storage alternatives exist that eliminate the need to further expand this structure and perpetuate this violation.
4. On July 21, 2003 DES received a request for reconsideration of the Department's July 3, 2003 denial.
5. The appellants assert that the property was not filled by them, but that they placed small rocks on the property. The appellant further asserts that there is no fill under the home; that fill was moved around at the time of the sewer connection. DES neither grants nor denies this assertion. Review of aerial photos from 1974 find that nothing existed on the lot at that time. Permit 93-1732 granted to the Town of Seabrook to install sewer service to Cross Beach Road had work confined to the center of the road only; and this permit was issued with the condition that sewer would only be connected to occupied dwellings. Permit 95-1921 was issued after the fact to, in part, cover an area of re-grading of 100 square feet associated with pump station installation adjacent to the property.
6. The appellants assert that they have a hardship for the land, because the existing shed, outside equipment, and vehicles could be swept away by the tide. DES denies this assertion. Per Rule Wt 101.88, "unnecessary hardship" is defined as a hardship created by a condition of the land which distinguishes it from other land in the same area. DES finds that the property has the same inherent conditions as many other properties developed on spits of land in both Seabrook and Hampton extending into the Hampton/Seabrook estuary, involving construction at low elevations subject to tidal action.
7. The appellants assert that there was an original wetlands permit J-267 for construction of a screen house in 1987; that in 1995 the appellant applied for a building permit [to the Town of Seabrook] to repair/replace the structure, and that the Shoreland Protection Act allows repair or replacement of existing structures.

Relative to the original permit J-267 for the construction of the screen house DES finds the following:

- a. The appellants assert that an original house on this site was destroyed by fire, was owned by Florence Haley and existed on the

property around 1961. No conclusive evidence documenting existence of this structure was submitted by the appellants.

Examination of aerial photos dated 1962 find that no structure existed on the property as of that time.

b. On May 7, 1980, Joseph Jones inherited the property from the estate of Florence Haley.

c. On September 17, 1985, DES issued Mr. Jones permit J-267 for the construction of a screen house on pilings in the tidal buffer zone, not to exceed 20' x 30' in its dimensions, with the condition of "No septic system on the lot".

d. Permit J-267 expired on September 17, 1987.

e. The appellants assert that Mr. Jones built the platform for the 20' x 30' structure prior to the expiration of permit J-267.

f. The appellants provided evidence that Mr. Jones renewed Town of Seabrook building permit #85-307, a minimum of four times after the expiration of the DES wetlands permit J-267. Mr. Jones, however, never time-extended the wetlands permit or reapplied for a new wetlands permit.

g. The appellants acquired ownership of the property from Mr. Jones on May 26, 1995, at which time the 20' x 30' platform was the only structure existing on the property.

h. On May 26, 1995, upon acquisition of the property, the applicants again renewed the Town of Seabrook Building Permit for the "reconstruction" of a 20' x 30' "recreational structure". The applicants did not, however, obtain a valid wetlands permit to construct a structure on the 20' x 30' platform.

i. Without a valid wetlands permit, the appellants then constructed a year-round, single-family residential structure, well beyond the scope of a screen house as described on the expired wetlands permit J-267, and beyond the scope of "recreational" use, as described on the Town of Seabrook Building Permit #85-307.

Relative to the appellant's assertions regarding the Shoreland Protection Act, RSA 483-B:11 states that "...[n]on-conforming structures, erected prior to July 1, 1994, ... may be repaired, renovated, or replaced in kind... provided that the result is a functionally equivalent use." A non-conforming structure is one constructed closer than 50 feet from the reference line. The only legal structure on the property for which there is conclusive evidence of its presence prior to 1994, is the 20' x 30' platform, a non-conforming structure built in approximately 1987, as a base for a screen house. In no way does the construction of a two-story, year round dwelling represent a functionally equivalent use to a wooden platform for a screen house. Further, expansion of the structure occurring after 1994 represents a violation of RSA 483-B:11.

8. The appellants assert, relative to enclosing the emergency walkway, that they couldn't keep warm and keep the rain out, and that they applied for a building permit and that the building inspector would not have given a building permit if a wetlands permit was required per the Seabrook Town Zoning Ordinances. DES denies this assertion with the following findings:

a. DES has no record of a wetlands permit issued to enclose the exterior walkways, a violation of Rule Wt 303.03(b), wetlands permits are required for projects that involve work within 50 feet of a salt marsh; and a violation of RSA 483-B:11, which prohibits the expansion of an existing footprint or the outside dimensions of a non-conforming structure.

b. After-the-fact wetlands permit 95-1921 was issued on October 2, 1995, and included the construction of two exterior, cantilevered walkways intended for emergency use, as well as the excavation and re-grading of 100 square feet of tidal buffer zone for the installation of a sewer line and pump connection to municipal sewer.

c. Materials submitted with the application for permit 95-1921 described the need for the walkway to be for emergency use only, and therefore that it was to remain an uncovered and exterior structure.

d. The after-the-fact wetlands permit 95-1921 was issued with a condition that reads "No further work in Wetland Board jurisdiction will be permitted on this lot."

e. On April 17, 2003 DES conducted a field inspection of the property and found it to currently consist of a fully enclosed, two-story, 26' x 34' single-family residence with an 8' x 10' storage shed on the south side of the property, and the exterior walkways, which were to remain uncovered and for emergency purposes, are now completely enclosed, therefore expanding the footprint size and configuration by 33% in the direction of the tidal salt marsh.

f. The enclosure of the walkways prevent sunlight from reaching the marsh grass that once existed under the cantilevered walkways.

g. On June 28, 1996, the Town of Seabrook issued building permit #96-116 for the construction of a second story on the 20' x 30' structure.

h. On October 8, 1996 the Town of Seabrook issued building permit #96-205 for the enclosure of the 6' x 34' and 4' x 26' cantilevered exterior walkways.

i. On August 21, 1997 the Town of Seabrook issued building permit #97-186 for the construction of a single-story 8 ft x 10 ft shed.

j. Based on findings 8g., h., i., above, it is clear that the Seabrook Building Inspector did issue town building permits without the necessary DES wetlands permits being issued, regardless of Town Zoning ordinances requiring otherwise.

k. Permits issued by the Town of Seabrook Building Inspector do not supercede those issued by DES, and do not relieve the applicants from the obligation to obtain required DES wetlands permits.

9. The appellants assert that the condition "No further work in jurisdiction" on wetlands permit 95-1921 would prevent removal of the project and restoration of the site to its natural condition, and question if it this is "legal". DES denies this assertion. The

purpose of this condition on the permit was to prevent the type of incremental unauthorized expansion which has occurred on this property, and which, if properly applied for in total from the beginning, would not have been approvable.

10. The appellants assert, relative to the unauthorized 8' x 10' shed on the property, that use of this shed would not meet their desires, protect the marsh, and could blow over. DES denies this assertion and finds the following:

- a. DES has no record of a wetlands permit being issued for the construction of a single story 8' x 10' shed on the property;
- b. Review of aerial photos reveal that the illegal storage shed has been in place since at least 1997, and has not blown away.
- c. Further violation of the Shoreland Protection Act by expansion of a non-conforming structure does not represent protection to the salt marsh.

11. The appellants assert, relative to consistency of permit approvals by DES, that there are other permits issued for work in the tidal buffer zone on other properties, and gives general examples.

DES finds that this assertion is irrelevant. Wetlands permits are granted on a case by case basis and approved when determined to be in compliance with applicable rules and law.

12. On July 30, 2003 DES discovered further unauthorized construction of a deck over the salt marsh on the north side of the appellants' dwelling.

13. DES finds that the appellants have systematically expanded the dwelling and other structures on the property without authorization from DES. DES finds that the current request to expand the unauthorized non-conforming structure would further violate RSA 483-B:11; would further perpetuate the existing violations of RSA 482-A which would not have been approvable if properly applied for, and therefore the current application must be denied.

14. DES finds that the issues raised by the appellants in support of the request for reconsideration do not provide sufficient evidence to reverse the original decision, but in fact provides evidence which supports the denial of this application.

2003-00465

PHILLIP STEELE ENTERPRISES, WAUKEELA CAMP FOR GIRL

EATON Crystal Lake

Requested Action:

Dredge and fill approximately 325 square feet within the bed and bank of Crystal Lake to reconstruct (in-kind) an existing 21 ft x 15.5 ft boathouse. Approximately 923 square feet within the bed and bank of Crystal Lake will be temporarily disturbed to install a cofferdam around boathouse. Retain approximately 7 cubic yards of sand that was distributed over an existing sloped beach impacting 400 square feet.

Conservation Commission/Staff Comments:

*In a letter dated 3/21/03, the Eaton Conservation Commission stated that they have concerns regarding the boathouse application (see letter in file), but they did not intervene.

APPROVE PERMIT:

Dredge and fill approximately 325 square feet within the bed and bank of Crystal Lake to reconstruct (in-kind) an existing 21 ft x 15.5 ft boathouse. Approximately 923 square feet within the bed and bank of Crystal Lake will be temporarily disturbed to install a cofferdam around boathouse. Retain approximately 7 cubic yards of sand that was distributed over an existing sloped beach impacting 400 square feet.

With Conditions:

1. All work shall be in accordance with plans by H.E. Bergeron dated 10/23/02, as received by the Department on 3/13/03.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Repair to boathouse shall maintain existing size, location and configuration.
4. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or

other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

7. Work shall be done during drawdown.

8. This permit does not allow for maintenance dredging.

9. Temporary cofferdam shall be entirely removed immediately following construction.

10. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.

11. Any future alteration of areas within the DES Wetlands Bureau's jurisdiction on this property will require a new application and approval by the DES Wetlands Bureau.

12. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.

13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. The Project is categorized as a Minor Project per Rule Wt 303.03 (f), as beach replenishment did not meet minimum standards.

2. Proposed boathouse reconstruction will take place entirely within the footprint of the pre-existing boathouse.

3. The proposed project activities involve reconstruction of existing structures. No new structures are proposed.

2003-00712 NH DEPT OF TRANSPORTATION
SHELBURNE Androscoggin River

Requested Action:

Reface concrete piers, abutments, wing walls, spillway walls, repair concrete arch and possibly replace downstream left sluiceway wall located 36 ft. from right abutment impacting 4,100 sq. ft. (3,650 sq. ft. temporary) of river and banks.

Inspection Date: 07/03/2003 by Gino E Infascelli

APPROVE PERMIT:

Reface concrete piers, abutments, wing walls, spillway walls, repair concrete arch and possibly replace downstream left sluiceway wall located 36 ft. from right abutment impacting 4,100 sq. ft. (3,650 sq. ft. temporary) of river and banks. NHDOT project #99055S.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance dated 02/03, as received by the Department on April 22, 2003.

2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.

3. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.

4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.

5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.

6. Temporary cofferdams shall be entirely removed immediately following construction.

7. Construction equipment shall not be located within surface waters.

8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be

stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.

13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

14. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.

15. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

16. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

17. The timing of the work in the water shall be coordinated with discharges from the upstream dam.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of a river channel or its banks.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence, which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project on July 3, 2003. Field inspection determined that further deterioration may require a new structure and the interior wall downstream of the concrete arch appears to be undermined and may require replacement.

2003-01428 BURTON, LESLIE
EASTON Tributary To Gale River

Requested Action:

Fill 6,800 square feet of palustrine forested wetland and install a culvert within a seasonal stream to construct a shared driveway serving 2-lots for single-family residences.

APPROVE PERMIT:

Fill 6,800 square feet of palustrine forested wetland and install a culvert within a seasonal stream to construct a shared driveway serving 2-lots for single-family residences.

With Conditions:

1. All work shall be done in accordance with plans and application, as received by the Department on 7/3/03.

2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.

4. This permit is contingent on approval by the DES Subsurface Systems Bureau.

5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.

7. Work shall be done during periods of low flow or dry conditions.

8. Proper headwalls shall be constructed over the culvert ends within seven days of culvert installation.

9. Stone aprons shall be installed at culvert outlets to prevent scouring and erosion.

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing

season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project is considered a Minor Project per NH Administrative Rule Wt 303.03 (n), as impacts are less than 20,000 square feet.
2. This project was originally approved as a shared driveway access under file #1994-0095, part of a 26-lot subdivision on 169 acres of land. The main subdivision road was built and the lots were divided under this original approval; however, the shared driveway serving 2-lots was never constructed.

2003-01696 RIZZO, ANTHONY
SEABROOK Tbz

Requested Action:

Impact 16,010 square feet of previously developed upland tidal buffer zone for the removal of an existing retail building, and the construction of a new retail building.

APPROVE PERMIT:

Impact 16,010 square feet of previously developed upland tidal buffer zone for the removal of an existing retail building, and the construction of a new retail building.

With Conditions:

1. All work shall be in accordance with plans by Millennium Engineering, Inc. dated July 1, 2003, as received by the Department on July 24, 2003.
2. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
6. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(b), projects that involve work within 50 feet of the saltmarsh.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. NH Natural Heritage Inventory (NHNHI) has record of one state endangered and one federal threatened vertebrate species within the project vicinity, Piping Plover (*Charadrius melodus*). Also, NHNHI has record of one natural community of special concern in the project vicinity, Gulf of Maine Salt Marsh.
6. DES review of this application finds that neither the Gulf of Maine Salt Marsh nor the Piping Plover will be negatively impacted as a result of the proposed impacts, as the project is proposing to redevelop an existing site outside of the 50-ft tidal buffer zone.
7. The applicant has obtained written approval from the abutter whose property lines exist within 20 feet of the proposed impacts.

MINIMUM IMPACT PROJECT

2002-02353 **OLNEY, PETER**
HAMPTON **Unnamed Wetland**

Requested Action:

Retain 890 sq. ft. of wetland fill in two locations for an access drive and a wooden bridge to access the property for forest management. Restoration of 3,150 sq. ft. of wetland impact within DES jurisdiction is addressed under separate cover.

APPROVE AFTER THE FACT:

Retain 890 sq. ft. of wetland fill in two locations for an access drive and a wooden bridge to access the property for forest management. Restoration of 3,150 sq. ft. of wetland impact within DES jurisdiction is addressed under separate cover.

With Conditions:

1. Any further alteration of wetlands on this property will require a new application and further permitting by the DES Wetlands Bureau.
2. The work shall be in accordance with plans by Peter Olney on the base plan of Durgin, Verra and Associates, Inc. as received by the Department on July, 23, 2003.

With Findings:

1. This is a minimum impact project per Wt 303.04.
2. This work was a result of inadvertent misinterpretation of DES Wetlands Bureau - Code of Administrative Rules.
3. This proposal meets the criteria of Chapter Wt 300 for approvable minimum impact projects.

2003-00458 **BOWES, GERARD**
HUDSON **Unnamed Stream**

Requested Action:

Approve name change to: Sousa Realty & Development, 46 Lowell Rd., Hudson, NH 03051 per request received 9/2/03

Conservation Commission/Staff Comments:

Hudson Conservation Commission recommends approval of project.

Inspection Date: 05/09/2003 by Frank D Richardson

APPROVE NAME CHANGE:

Dredge and fill 600 sq. ft. in the flow channel and embankments of a perennial stream to construct a roadway with a 48 in. dia. culvert crossing to access a proposed elderly housing complex. A 36 in. arch culvert will be installed at the top of the embankment to provide a crossing for small mammals below the road grade.

With Conditions:

1. All work shall be in accordance with plans by Hayner/Swanson, Inc. dated 3 March 2003, as received by the Department on March 14, 2003.

2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit shall not be effective until it has been recorded with the Hillsborough county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.
9. Work shall be done during low flow.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2003-01021 CUTTER, ROSALIE
LYME Reservoir Pond

Requested Action:

Repair and replace in-kind an existing 75 linear ft concrete retaining wall adjacent to an existing 2 ft 8 in x 72 ft dock attached to an existing 8 ft x 10 ft deck over the water on an average of 100 ft of frontage on Reservoir Pond, Lyme.

Conservation Commission/Staff Comments:

No locus on USGS map. Digitized from tax map.

Con. Com. agreed with project.

APPROVE PERMIT:

Repair and replace in-kind an existing 75 linear ft concrete retaining wall adjacent to an existing 2 ft 8 in x 72 ft dock attached to an existing 8 ft x 10 ft deck over the water on an average of 100 ft of frontage on Reservoir Pond, Lyme.

With Conditions:

1. All work shall be in accordance with plans by Rosalie M. Cutter, as received by the Department on August 26, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. All removed material shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Repair shall maintain existing size, location and configuration.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
10. Work shall be done during drawdown.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2003-01074 STONIE, HENRY & MARY JO
HAMPTON Atlantic Ocean

Requested Action:

Retain 328 square feet impact to the tidal buffer zone for the repair of an existing rip rap slope on Hampton Beach by adding five (5) new boulders and resetting four (4) existing boulders.

Inspection Date: 06/18/2003 by David A Price

APPROVE AFTER THE FACT:

Retain 328 square feet impact to the tidal buffer zone for the repair of an existing rip rap slope on Hampton Beach by adding five (5) new boulders and resetting four (4) existing boulders.

With Conditions:

1. All work shall be in accordance with the plan by Henry Stonie dated July 9, 2003 as received by DES on July 11, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v), repair of existing rip rap slopes.
2. Per Wt 302.01, the applicant has demonstrated that the proposed impacts were needed to repair damage caused to the slope by winter storms.
3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, as the slope repair was contained completely within the footprint of the existing rip rap slope, and did not alter the configuration, construction type, or dimensions of the exiting rip rap slope.
4. Per Wt 304.04, each of the two abutters whose property lines are within twenty feet of the repairs have provided their written approval.
5. DES site inspection on June 18, 2003 finds that this project would have been approvable if properly applied for originally.
6. Public hearing is waived with the finding that the project impacts did not significantly impair the resources of this tidal ecosystem.
7. Further enforcement may follow under separate cover.

2003-01429 NH FISH & GAME DEPT
GREENFIELD Tributary To Contoocook River

Requested Action:

Dredge and fill approximately 1,092 square feet jurisdictional wetlands to upgrade an existing woods road for wildlife management purposes. Impacts include replacement of an existing culvert and installation of a stone ford

Conservation Commission/Staff Comments:

No comments from the Con Com or the Contoocook and North Branch Rivers Local Advisory Committees.

APPROVE PERMIT:

Dredge and fill approximately 1,092 square feet jurisdictional wetlands to upgrade an existing woods road for wildlife management purposes. Impacts include replacement of an existing culvert and installation of a stone ford

With Conditions:

1. All work shall be in accordance with plans by NH Division of Forests and Lands dated June 2003, as received by the Department on July 2, 2003. All work shall adhere to the standards of the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire" published by the NH Dept. of Resources & Economic Development.
2. Any change in use to a non-agricultural or non-forestry purpose will require further permitting by the DES Wetlands Bureau.
3. Work shall be done during low flow.
4. Culvert outlets shall be properly rip rapped.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of jurisdictional nontidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES staff has determined the project will not have an adverse effect on the environment.

2003-01445 NH DEPT OF TRANSPORTATION DISTRICT ONE
NORTHUMBERLAND Ditch

Requested Action:

Maintenance dredge 450 linear feet (1,350 sq. ft.) of a drainage ditch.

APPROVE PERMIT:

Maintenance dredge 450 linear feet (1,350 sq. ft.) of a drainage ditch. NHDOT project M104-3.

With Conditions:

1. All work shall be in accordance with plans by NHDOT District 1 dated 6-24-03, as received by the Department on July 8, 2003.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Construction equipment shall not be located within surface waters.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
8. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
9. Work shall be done during low flow.

2003-01446 NH DEPT OF TRANSPORTATION DISTRICT ONE
NORTH STRATFORD Connecticut River

Requested Action:

Maintenance dredge 500 linear feet (2,500 sq. ft.) of a drainage ditch.

APPROVE PERMIT:

Maintenance dredge 500 linear feet (2,500 sq. ft.) of a drainage ditch. NHDOT project M104-2.

With Conditions:

1. All work shall be in accordance with plans by NHDOT District 1 dated 6-23-03, as received by the Department on July 8, 2003.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Construction equipment shall not be located within surface waters.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
8. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
9. Work shall be done during low flow.

2003-01493 FRANKLIN PIERCE COLLEGE
RINDGE Pearly Lake

Requested Action:

Dredge and fill approximately 1,380 square feet of palustrine emergent wetlands (including 1,100 sq ft of temporary impacts) for construction of a boat storage facility. Create a 100 foot conservation easement along the remaining shoreline of Pearly Lake on Lot 10, Tax Map 9 in Rindge

APPROVE PERMIT:

Dredge and fill approximately 1,380 square feet of palustrine emergent wetlands (including 1,100 sq ft of temporary impacts) for construction of a boat storage facility. Create a 100 foot conservation easement along the remaining shoreline of Pearly Lake on Lot 10, Tax Map 9 in Rindge

With Conditions:

1. All work shall be in accordance with plans by TF Moran, Inc. dated June 10, 2003, as received by the Department on July 14, 2003.
 2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
 3. Work shall be done during low flow.
 4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
 5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- Wetland construction:
6. This permit is contingent upon the creation of 1,100 sq. ft. of wetlands in accordance with plans and narrative received July 14, 2003.
 7. The schedule for construction of the mitigation area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
 8. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.

9. Wetland creation areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.

10. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.

11. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.

12. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

13. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

Wetland preservation:

14. This permit is contingent upon the execution of a 100 foot conservation easement along Pearly Lake as depicted on plans to be received by the Wetlands Bureau prior to construction.

15. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.

16. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.

17. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.

18. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

19. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

20. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

21. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

22. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of jurisdictional wetlands.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

5. The applicant has proposed a 100 ft conservation easement along the shoreline. The Town presently has a 50 ft buffer.

6. The applicant has provided for the replacement of wetlands impacted with the creation of a similar palustrine emergent wetland on the immediate site.

7. DES staff has determined this project will not have a negative effect on the environment.

Requested Action:

Dredge and fill approximately 2,100 square feet of palustrine forested wetlands and install a 12" x 30' culvert to provide access to a single family residence

Conservation Commission/Staff Comments:

GIS review not done. No USGS map. Computer map is not at a useable scale.

APPROVE PERMIT:

Dredge and fill approximately 2,100 square feet of palustrine forested wetlands and install a 12" x 30' culvert to provide access to a single family residence

With Conditions:

1. All work shall be in accordance with plans by Beaver Brook Environmental Consultants, LLC dated July 1, 2003, as received by the Department on July 21, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
8. No fill shall be done for lot development.
9. No fill shall take place in Atlantic white cedar swamps.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of jurisdictional non-tidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2003-01604 SCAGLIOTTI, NACKEY
PORTSMOUTH South Mill Pond

Requested Action:

Impact 1,007 square feet of previously developed upland tidal buffer zone for the installation of 4 fieldstone risers, 2 fieldstone walls, 2 fieldstone paths set in loam, 2 pea stone paths, a brick and granite circular pad, an irregular shaped bluestone pad, a border of granite cobble decorative edging, and a 3 ft x 26 ft section of a cobble driveway to partially extend into the tidal buffer zone.

APPROVE PERMIT:

Impact 1,007 square feet of previously developed upland tidal buffer zone for the installation of 4 fieldstone risers, 2 fieldstone

walls, 2 fieldstone paths set in loam, 2 pea stone paths, a brick and granite circular pad, an irregular shaped bluestone pad, a border of granite cobble decorative edging, and a 3 ft x 26 ft section of a cobble driveway to partially extend into the tidal buffer zone.

With Conditions:

1. All work shall be in accordance with plans by J.Wall/Sanctuararia dated June 2003, with revisions by R. Scagliotti on July 18, 2003, as received by the Department on July 23, 2003.
2. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
5. Orange construction fencing shall be placed at the limits of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. Proposed impacts are strictly for hardscape landscaping and are completely contained within the developed upland tidal buffer zone, and are landward of the existing seawall along the South Mill Pond in Portsmouth.

2003-01682 GRUBBS, WYNN
SEABROOK Atlantic Ocean

Requested Action:

Impact 390 square feet within a sand dune jurisdiction area for the construction of an addition to an existing single family residence.

Conservation Commission/Staff Comments:

No locus found on USGS map Digitized from tax map.

Inspection Date: 09/04/2003 by David A Price

APPROVE PERMIT:

Impact 390 square feet within a sand dune jurisdiction area for the construction of an addition to an existing single family residence.

With Conditions:

1. All work shall be in accordance with plans received by the Department on August 21, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This property is a developed interior lot in Seabrook with little or no remaining dune function other than its position in the landscape.
2. This approval is consistent with other approvals in developed sand dune areas.
3. Based on findings #1 and #2, this project is deemed minimum impact per Wt. 303.04(o).

4. The NH Natural Heritage Inventory (NHNHI) has record of one state threatened plant species within the project vicinity, Sand Drop-Seed (*Sporobolus cryptandrus*), and record of one species of special concern within the project vicinity, Beach Grass (*Ammophila breviligulata*).
5. DES inspection of this property on September 4, 2003 finds that neither the threatened species nor the species of special concern will be impacted as a result of the project.
6. All abutters whose property lines exist within 20 feet of the proposed impacts have provided their written approvals.

2003-01695 SEABROOK, TOWN OF
SEABROOK Unnamed Stream

Requested Action:

Impact 2,266 square feet of nontidal wetlands for the removal of an existing 24-inch x 30-inch culvert and replacement with a 57-inch x 38-inch arched culvert, and the installation of a 10-foot x 10-foot riprap area at the north outlet of the culvert.

APPROVE PERMIT:

Impact 2,266 square feet of nontidal wetlands for the removal of an existing 24-inch x 30-inch culvert and replacement with a 57-inch x 38-inch arched culvert, and the installation of a 10-foot x 10-foot riprap area at the north outlet of the culvert.

With Conditions:

1. All work shall be in accordance with plans by Gerrit Consulting dated March 16, 1998, with revisions by Wetland Consulting Services dated August 26, 2003, as received by the Department on September 2, 2003.
2. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
5. The northern culvert outlet shall be properly rip rapped with clean stone, and the southern end of the culvert shall consist of a flared inlet.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3,000 square feet of wetlands and per Administrative Rule Wt. 303.04(n), projects that disturb less than 50 linear feet measured along the thread of an intermittent nontidal stream channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The proposed impacts were originally approved under the now expired NHDES Wetlands Permit #1998-426.
5. The applicant has obtained written approvals from both abutters whose property lines exist within 20 feet of the proposed impacts.
6. NH Natural Heritage Inventory (NHNHI) has record of one natural community of special concern in the project vicinity, Gulf of Maine Salt Marsh.
7. DES review of this application finds that the NHNHI identified natural community of special concern will not be impacted as a result of the proposed project, as this project does not exist in, or abut the salt marsh community.

2003-01765 STACKPOLE, ROBERT
SOMERSWORTH Unnamed Wetland

Requested Action:

Temporarily impact 465 square feet of forested wetlands to install approximately 865 linear feet of 12-inch diameter water line.

Conservation Commission/Staff Comments:

In a report received by the DES Wetlands Bureau on August 26, 2003, the Somersworth Conservation Commission stated that it has no objection to issuance of a permit for this project.

APPROVE PERMIT:

Temporarily impact 465 square feet of forested wetlands to install approximately 865 linear feet of 12-inch diameter water line.

With Conditions:

1. All work shall be in accordance with the Water Line Extension Plan & Profile (Sheet C-1) and the Erosion Control & Water Details (Sheet C-2) by Provan & Lorber, Inc. dated August 2003, as received by the Department on August 11, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau, as specified in RSA 482-A, will require a new application and approval by the Bureau.
3. Work shall be conducted during low flow conditions.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. The temporary wetlands impact areas shall be restored to their pre-construction conditions, including restoration of original grades, stabilization, and planting with a wetland seed mix within 5 days of backfill.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Any clearing required in the utility line right-of-way shall be in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire." Timber, slash and/or chips shall be removed from wetland areas and shall not be buried in wetlands.
9. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoils shall be stockpiled separately from subsoils and shall be restored following backfill.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Wetland restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
12. Wetland restoration of temporary impact areas shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following the completion of construction.

With Findings:

1. The project is categorized as a Minimum Impact Project, per Rule Wt 303.04(f), as the project involves alteration of less than 3,000 square feet of forested wetlands.
2. Wetland impacts will be temporary in nature.
3. The Department finds that proposed project activities will not adversely impact populations of False Pimpernel and One-Sided Rush, both state endangered species, located adjacent to Willand Pond approximately 0.5 miles south of the project site, as identified by the NH Natural Heritage Bureau.
4. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2003-01616 DOMINA, ALICE
KEENE Unnamed Stream

COMPLETE NOTIFICATION:

Keene Tax Map 917, Lot# 12-22, 13, 242 & 654

2003-01757 YANKEE FOREST, LLC, C/O WAGNER FOREST MGMT
HEBRON Unnamed Stream

COMPLETE NOTIFICATION:

Hebron Tax Map 23, Lot# 1

2003-01769 YANKEE FOREST, LLC, C/O WAGNER FOREST MGMT
GROTON Unnamed Stream

COMPLETE NOTIFICATION:

Groton Tax Map 6, Lot# 113

2003-01770 DUMAINE FARMS CO, C/O WAGNER FOREST MGMT
WINCHESTER Unnamed Stream

COMPLETE NOTIFICATION:

Winchester Tax Map 7, Lot# 50

2003-01771 COTA, KAREN & GARY ROBINSON
ROXBURY Unnamed Stream

COMPLETE NOTIFICATION:

Roxbury Tax Map M2, Lot# 66-02

2003-01772 MEAD WESTVACO
ATK GIL GRANT Unnamed Stream

COMPLETE NOTIFICATION:

Academy Grant Tax Map 1628, Lot# 2

2003-01786 FRANCESTOWN CONSERVATION COMMISSION, BETTY HARDWIC
FRANCESTOWN Unnamed Stream

COMPLETE NOTIFICATION:

Francetown Tax Map 4, Lot# 5

2003-01792 WATERMAN, JOHN
MADISON Unnamed Stream

Conservation Commission/Staff Comments:

No USGS map. Computer map is not at a useable scale. Digitized from tax map.

COMPLETE NOTIFICATION:

Madison Tax Map 10, Lot# 62

2003-01793 SWETT, WALTER
HILLSBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Hillsboro Tax Map 7, Lot# 53

2003-01794 MOULTON FOREST ASSOCIATES
WOLFEBORO Unnamed Stream

COMPLETE NOTIFICATION:
Wolfeboro Tax Map 27, Lot# 1

2003-01807 A&B FORESTRY
GORHAM Unnamed Stream

COMPLETE NOTIFICATION:
Gorham Tax Map R8, Lot# 5

2003-01816 H&H INVESTMENTS, LLC
FRANCESTOWN Unnamed Stream

COMPLETE NOTIFICATION:
Francestown Tax Map 8, Lot# 100

2003-01824 OPEN VIEW INVESTMENTS LLC
FITZWILLIAM Unnamed Stream

COMPLETE NOTIFICATION:
Fitzwilliam Tax Map 2, Lot# 5

2003-01825 S&M FOREST TRUST, C/O KATHY BOHRSON
SPRINGFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Springfield Tax Map 39, Lot# 141

2003-01848 PREW, JONATHAN
AMHERST Unnamed Stream

COMPLETE NOTIFICATION:
Amherst Tax Map M7, Lot# 32

2003-01850 OUIMETTE, DANIEL
WEST STEWARTSTOWN Unnamed Stream

COMPLETE NOTIFICATION:

West Stewartstown Tax Map A5, Lot# 14

2003-01858 WEST, ESTATE OF LLOYD
DANBURY Unnamed Stream

COMPLETE NOTIFICATION:

Danbury Tax Map 403, Lot# 4

2003-01859 SILVERMAN, SYDNEY
PITTSFIELD Unnamed Stream

COMPLETE NOTIFICATION:

Pittsfield Tax Map R39, Lot# 28

2003-01864 SMITH, PATTY
MONT VERNON Unnamed Stream

COMPLETE NOTIFICATION:

Mont Vernon Tax Map 8, Lot# 11

2003-01866 GREEN, MARJORIE
ORFORD Unnamed Stream

COMPLETE NOTIFICATION:

Orford Tax Map 8, Lot# 89

2003-01867 ROBBINS, CHARLES
BROOKFIELD Unnamed Stream

COMPLETE NOTIFICATION:

Brookfield Tax Map 28 / 29, Lot# 17,18,19 / 6-15 & 2

EXPEDITED MINIMUM

2003-00751 THAYER, SCOTT
EPSOM Unnamed Stream

Requested Action:

Approve permit amendment to remove specific condition 2, which reads as follows: "This permit is contingent on approval by the DES Subsurface Systems Bureau."

Conservation Commission/Staff Comments:

The Epsom Conservation Commission signed this Minimum Impact Expedited Permit application.

APPROVE AMENDMENT:

Dredge and fill 90 square feet within an intermittent streambed to install 45 linear feet of 15 inch diameter HDPE culvert and associated fill for access to a single family building lot.

With Conditions:

1. All work shall be in accordance with plans by Scott Thayer dated April 24, 2003, as received by the Department on April 29, 2003 and the narrative entitled "Construction Sequence and Erosion Control" dated April 24, 2003, as received by the Department on April 29, 2003.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence must be removed once the area is stabilized.
3. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
4. Proper headwalls shall be constructed within seven days of culvert installation.
5. Culvert outlets shall be properly rip rapped.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert and associated fill to provide access to a single family building lot.
2. The crossing has been designed to minimize wetland impacts. A 45 foot culvert was required for the crossing because the driveway must be raised up to decrease the entry slopes. The 3:1 side slopes are necessary to support a driveway in an area this steep. The proposed driveway is at a 10 percent grade.
3. Condition 2 of the wetlands permit was removed because the applicant provided information demonstrating that this lot is a buildable lot and would meet subsurface approval. The applicant submitted the preliminary test pit data and a plan showing the 20.34 acre lot to DES on September 5, 2003. The data and plan indicate that the lot has adequate space and the soils have adequate percolation to meet subsurface approval. The applicant requires immediate access to the lot to stabilize areas disturbed during previous forest management activities on the property.

2003-00788 HUML, RONALD/YOKO
ROCHESTER Unnamed Stream

Requested Action:

Approve name change to: Bradlin Contractors LLC, 28 Harlans Way, Dover NH 03820 per request received 9/3/03.

Conservation Commission/Staff Comments:

The Rochester Conservation Commission signed this minimum impact expedited permit application.

APPROVE NAME CHANGE:

Dredge and fill 720 square feet of intermittent stream and forested wetlands to install one 18 inch diameter culvert and one 15 inch diameter culvert for access to a proposed 20-lot residential subdivision on approximately 65.6 acres.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Associates, Inc. dated April 2003, last revised on May 15, 2003, as received by the Department on May 19, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the

registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition 4 of this approval.
6. Work shall be done during low flow.
7. Appropriate siltation, erosion and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence must be removed once the area is stabilized.
8. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2003-01474 ANDERSON, FRANK & TABATHA JONES
WALPOLE Unnamed Wetland

Requested Action:

Extend existing 12" culvert and construct a velocity reducing basin to alleviate bank erosion and associated transport of sediment to an emergent wetland

APPROVE PERMIT:

Extend existing 12" culvert and construct a velocity reducing basin to alleviate bank erosion and associated transport of sediment to an emergent wetland

With Conditions:

1. All work shall be in accordance with plans by TFMoran, Inc. dated June 4, 2003, as received by the Department on July 11, 2003.
2. Work shall be done during low flow.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any clearing required for construction access shall be in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire." Timber, slash and/or chips shall be removed from wetland areas and shall not be buried in wetlands.
5. A post-construction report documenting status of wetlands impacted shall be submitted to the Wetlands Bureau within six weeks of the completion of construction for review by DES.
6. Additional impacts to wetlands following the June 2003 inspection by DES personnel may require restoration pending review of the post-construction report.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Area shall be regraded to original contours following completion of work.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alterations of less than 3,000 sq ft of jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Previous impacts to jurisdictional wetlands result of slope failure.
6. DES personnel have determined this project eliminate future slope failures and reduce impacts to jurisdictional wetlands.

**2003-01631 SAVRAMIS 1996 REVOC TRUST, ANASTASIA
DOVER Unnamed Wetland**

Requested Action:

Fill 750 square feet of nontidal wetlands for the installation of 2 culverts and the construction of a driveway to access a proposed single-family residence to be constructed as part of a 13-lot subdivision.

APPROVE PERMIT:

Fill 750 square feet of nontidal wetlands for the installation of 2 culverts and the construction of a driveway to access a proposed single-family residence to be constructed as part of a 13-lot subdivision.

With Conditions:

1. A copy of the original permit, signed by both the owner and the contractor, shall be submitted to the DES Wetlands Bureau prior to construction.
2. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
3. All work shall be in accordance with plans by Tritech Engineering Corporation dated April 21, 2003 with revisions dated July 7, 2003, as received by the Department on July 25, 2003.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert and associated fill to permit vehicular access to a piece of property for a single family building lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction per Wt 302.03.
4. The applicant has obtained written approval from the abutter whose property lines exist within 20 feet of the proposed impact area.
5. NHNH has record of five state threatened plant species within the project vicinity, Eastern Lilaeopsis (Lilaeopsis chinensis),

Exserted Knotweed (*Polygonum exsertum*), False Water Pimpernell (*Samolus parviflorus*), Small Spike-Rush (*Eleocharis parvula*), and Stout Bulrush (*Scirpus robustus*). Also, NHNHI has record of one natural community of special concern in the project vicinity, Gulf of Maine Fresh/Brackish Intertidal Flat Community.

6. DES review of this application finds that none of the NHNHI identified threatened plant species or the natural community of special concern will be impacted as a result of the proposed project. Each of the species identified, and the natural community are in existence in and along the banks of the Bellamy River, and therefore do not exist in the Forested Swamp Wetland (PF01E).

2003-01632 NEW LONDON, TOWN OF
NEW LONDON Unnamed Stream

Requested Action:

Repair the bottom of a 10' x 100' culvert with a concrete liner on Old Main st in New London

Conservation Commission/Staff Comments:

No USGS map. Digitized from tax map.

APPROVE PERMIT:

Repair the bottom of a 10' x 100' culvert with a concrete liner on Old Main st in New London

With Conditions:

1. All work shall be in accordance with plans by the applicant, as received by the Department on September 3, 2003, and construction narrative received July 29, 2003.
2. Repair shall maintain existing size, location and configuration.
3. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters. 4. Temporary cofferdams shall be entirely removed immediately following construction.
8. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2003-01660 DEGRACE, JAMES
HOLDERNESS Unnamed Stream

Requested Action:

Dredge and fill 500 square feet and install a 15 " x 20' culvert and a 24" x 20' culvert for driveway construction to access a single family building site.

Conservation Commission/Staff Comments:

The Holderness Conservation Commission signed this minimum impact application.

APPROVE PERMIT:

Dredge and fill 500 square feet and install a 15 " x 20' culvert and a 24" x 20' culvert for driveway construction to access a single family building site.

With Conditions:

1. All work shall be in accordance with plans by Thomas Duffield dated July 26, 2003, as received by the Department on July 31, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culvert outlets shall be properly rip rapped.
8. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. The project is classified as a Minimum Impact Project per NH Administrative Rule Wt 303.03(f), as impacts are less than 3,000 square feet.

2003-01705

QUIRK, DANIEL/MARY JO

RYE Tbz

Requested Action:

Impact a total of 5,349 square feet of upland tidal buffer zone landward of a concrete retaining wall for the removal and reconstruction of a single-family residence, and the removal of 2,836 square feet of lawn for the planting of a sand dune area consisting of American Beach Grass (*Ammophila breviligulata*).

APPROVE PERMIT:

Impact a total of 5,349 square feet of upland tidal buffer zone landward of a concrete retaining wall for the removal and reconstruction of a single-family residence, and the removal of 2,836 square feet of lawn for the planting of a sand dune area consisting of American Beach Grass (*Ammophila breviligulata*).

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Associates, Inc. dated July 2003, with revisions dated September 4, 2003, as received by the Department on September 4, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.

4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction per Wt 302.03, as this property is a previously developed oceanfront lot with an existing residence on Rye Beach.
4. The NH Natural Heritage Inventory (NHNHI) has record of one state threatened plant species within the project vicinity, Tall Wormwood (*Artemisia campestris*), and record of a species of special concern within the project vicinity, Beach Grass (*Ammophila breviligulata*). Also, NHNHI have record of one natural community of special concern within the project vicinity, a Gulf of Maine Salt Marsh.
6. DES review of this application finds that neither the threatened species nor the species of special concern will be negatively impacted as a result of the project, as there are not any existing dune areas on the property, and the applicant is proposing to restore 2,836 square feet of lawn with indigenous sand and American Beach Grass (*Ammophila breviligulata*).

2003-01710 BROWN, BRUCE
SEABROOK Unnamed Stream

Requested Action:

Impact 212 square feet of a perennial stream for the installation of a 3-ft x 5-ft x 8-ft box culvert and the construction of two 6-inch x 12-ft long concrete retaining walls for the construction of a driveway to access a proposed single-family residence to be located in the uplands.

APPROVE PERMIT:

Impact 212 square feet of a perennial stream for the installation of a 3-ft x 5-ft x 8-ft box culvert and the construction of two 6-inch x 12-ft long concrete retaining walls for the construction of a driveway to access a proposed single-family residence to be located in the uplands.

With Conditions:

1. All work shall be in accordance with plans by Millennium Engineering, Inc. dated July 7, 2003, as received by the Department on August 8, 2003.
2. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
7. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert and associated fill to permit

vehicular access to a piece of property for a single family building lot.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction per Wt 302.03.

4. NH Natural Heritage Inventory (NHNHI) has record of two state threatened plant species within the project vicinity, Dwarf Glasswort (*Salicornia bigelovii*), and Salt-Marsh Gerardia (*Agalinis maritima*). Also, NHNHI has record of one natural community of special concern in the project vicinity, Gulf of Maine Salt Marsh.

5. DES review of this application finds that none of the NHNHI identified threatened plant species or the natural community of special concern will be impacted as a result of the proposed project. Each of the species identified, and the natural community are in existence in the Salt Marsh, and therefore do not exist in the Perennial Stream.

2003-01733 RAIDERS DEVELOPMENT CORP
RAYMOND Unnamed Wetland

Requested Action:

Fill approximately 765 square feet of forested wetlands to provide roadway access to an 11-unit manufactured home park. Dredge and fill approximately 249 square feet within the bed and bank of a pond to install a dry hydrant for fire protection.

APPROVE PERMIT:

Fill approximately 765 square feet of forested wetlands to provide roadway access to an 11-unit manufactured home park. Dredge and fill approximately 249 square feet within the bed and bank of a pond to install a dry hydrant for fire protection.

With Conditions:

1. All work shall be in accordance with the following plans received by the Department on August 11, 2003:
 - a. The Existing Conditions Plan (Sheet 1 of 7) and the Overall Site Grading Plan (Sheet 2 of 7) by R.S.L. Layout & Design, Inc.; and
 - b. The Plan and Profile (Sheets 3 & 4 of 7), the Site Plan Details (Sheets 5 - 7 of 7), and the Dredge and Fill Plan by R.G. Moynihan and R.S.L. Layout & Design, Inc.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Work shall be conducted during low flow conditions.
5. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Any portion of the bank of the pond that is disturbed as a result of installation of the dry hydrant shall be regraded to original contours, stabilized and seeded immediately following completion of work.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Minimum Impact Project per Administrative Rules Wt 303.04(f) and Wt 303.04(m).
2. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
3. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.

2003-01739 SHEEPSHEAD BAY LLC, GEORDY HUTCHINSON
WOLFEBORO Lake Winnepesaukee

Requested Action:

Repair in-kind an existing 7 ft 6 in x 40 ft piling pier on an average of 153 ft of frontage on Winter Harbor, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. refused to sign application. Abutter has made numerous complaints alleging that the applicant has degraded wetlands within a stream bed.

APPROVE PERMIT:

Repair in-kind an existing 7 ft 6 in x 40 ft piling pier on an average of 153 ft of frontage on Winter Harbor, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Allen P. Folsom, Jr. dated July 29, 2003, as received by the Department on August 13, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Repair shall maintain existing size, location and configuration.
6. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. All removed material shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.
2. Abutters claimed dock is not 40 ft long but did not provide the necessary proof needed to require an amended application.
3. Abutters stated that applicant has degraded jurisdictional areas around the property.
4. Applicant submitted photos documenting the compliance with DES rules and regulations relating to RSA 482-A and RSA 483-B.
5. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
6. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2003-01803 SOMERO, EARL/MARIA
NEW IPSWICH Unnamed Wetland

Requested Action:

Dredge and fill approximately 1,750 square feet of palustrine forested wetlands and an intermittent stream to construct a Town road for Phase I of a proposed Three Phase subdivision

APPROVE PERMIT:

Dredge and fill approximately 1,750 square feet of palustrine forested wetlands and an intermittent stream to construct a Town road for Phase I of a proposed Three Phase subdivision

With Conditions:

1. All work shall be in accordance with plans by Monadnock Survey, Inc. dated July 21, 2003, as received by the Department on August 15, 2003.
2. Future impacts to wetlands based on the conceptual subdivision plans could require revisions to minimize future impacts.
3. Proposed future subdivision phases II and III on the conceptual subdivision plans could require approval by the DES Site Specific Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
8. Work shall be done during low flow.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culvert outlets shall be properly rip rapped.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. This is a multiphase project and will require review by the Site Specific Bureau for the final completion of the project.
6. DES Wetland Bureau finds the project as proposed will not have a negative effect on the environment.

2003-01844 FLEISCHER, CARL & GAIL
HOLDERNESS Little Squam Lake

Requested Action:

Replace in-kind an existing 46 linear ft rock and mortar retaining wall with natural stone, replace 3 ft wide concrete steps with stone, and relocate existing 6 ft x 40 ft seasonal dock within 35 ft of the southern property boundary on an average of 100 ft of frontage on Little Squam Lake.

Conservation Commission/Staff Comments:
Con. Com. signed application.

APPROVE PERMIT:

Replace in-kind an existing 46 linear ft rock and mortar retaining wall with natural stone, replace 3 ft wide concrete steps with stone, and relocate existing 6 ft x 40 ft seasonal dock within 35 ft of the southern property boundary on an average of 100 ft of frontage on Little Squam Lake.

With Conditions:

1. All work shall be in accordance with plans by King's Stone Masonry & Landscaping LLC dated 2002, as received by the Department on August 18, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Dredged and removed material shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. Repair shall maintain existing size, location and configuration.
10. Seasonal piers shall be removed for the non-boating season.
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
12. Work shall be done during low flow.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2003-01847 BLAY, DOUGLAS
KINGSTON County Pond

Requested Action:

Repair in-kind an existing 45 linear ft stone retaining wall with interlocking concrete segments on an average of 75 ft of frontage on Country Pond, Kingston.

Conservation Commission/Staff Comments:
Con. Com. signed application.

APPROVE PERMIT:

Repair in-kind an existing 45 linear ft stone retaining wall with interlocking concrete segments on an average of 75 ft of frontage on Country Pond, Kingston.

With Conditions:

1. All work shall be in accordance with plans by Douglas Blay, as received by the Department on August 18, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Removed material shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. Repair shall maintain existing size, location and configuration.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. Work shall be done during drawdown.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2003-01851 **COLE, DEBORAH**
SUNAPEE Lake Sunapee

Requested Action:

Install a 4 ft x 20 ft floating seasonal dock on an average of 71 ft of frontage on Perkins Pond, Sunapee.

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Install a 4 ft x 20 ft floating seasonal dock on an average of 71 ft of frontage on Perkins Pond, Sunapee.

With Conditions:

1. All work shall be in accordance with plans by Deborah M. Cole, as received by the Department on August 19, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
9. Seasonal pier shall be removed from the lake for the non-boating season.
10. No portion of the pier shall extend more than 20 feet from the shoreline at full lake elevation.
11. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a 2-slip seasonal dock.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2003-01870 SAKOWICH, ANTHONY & GLADYS
GILFORD Lake Winnepesaukee

Requested Action:

Impact 16 sq ft to replace existing waterline on an average of 155 ft of frontage on Governor's Island, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. signed application

APPROVE PERMIT:

Impact 16 sq ft to replace existing waterline on an average of 155 ft of frontage on Governor's Island, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Tom Laflamme dated August 13, 2003, as received by the Department on August 21, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Removed material shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to construction.
6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. Repair shall maintain existing size, location and configuration.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing

season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. Work shall be done during drawdown.

12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

TRAILS NOTIFICATION

2003-01785 WHITE MTN NATIONAL FOREST, USDA FOREST SERVICE
ALBANY Unnamed Stream

COMPLETE NOTIFICATION:

Albany Tax Map White Mtn National Forest

2003-01791 DRED - TRAILS BUREAU
ALLENSTOWN Unnamed Stream

COMPLETE NOTIFICATION:

Allenstown Bear Brook State Park

ROADWAY MAINTENANCE NOTIF

2003-01930 HANCOCK, TOWN OF
HANCOCK Unnamed Stream

2003-01931 NH DEPT OF TRANSPORTATION, DISTRICT ONE
BERLIN Ditch

2003-01932 NH DEPT OF TRANSPORTATION, DISTRICT ONE
STEWARTSTOWN Ditch

2003-01933 SANBORNTON, TOWN OF
SANBORNTON Unnamed Stream

2003-01934 **NH DEPT OF TRANSPORTATION, DISTRICT 6**
DANVILLE **Unnamed Stream**